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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2008 - 4

12 **WILLIAM FRANCIS PRINGLE, JR.**
P.O. Box 51900
13 Palo Alto, California 94303

A C C U S A T I O N

14 Registered Nurse License No. 483679

15 Respondent.

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17 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the
20 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
21 Affairs.

22 **Registered Nurse License**

23 2. On or about August 31, 1992, the Board issued Registered Nurse License
24 Number 483679 to William Francis Pringle, Jr. ("Respondent"). The registered nurse license
25 expired on June 30, 2006, and has not been renewed.

26 **STATUTORY PROVISIONS**

27 3. Section 2750 of the Business and Professions Code ("Code") provides, in
28 pertinent part, that the Board may discipline any licensee, including a licensee holding a

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
2 section 2750) of the Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a
4 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
5 against the licensee or to render a decision imposing discipline on the license. Under Code
6 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
7 years after the expiration.

8 5. Code section 2761 states, in pertinent part:

9 The board may take disciplinary action against a certified or licensed nurse
10 or deny an application for a certificate or license for any of the following:

11 (a) Unprofessional conduct. . . .

12 (f) Conviction of a felony or of any offense substantially related to the
13 qualifications, functions, and duties of a registered nurse, in which event the
14 record of the conviction shall be conclusive evidence thereof.

15 6. Code section 2762 states, in pertinent part:

16 In addition to other acts constituting unprofessional conduct within the
17 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct
18 for a person licensed under this chapter to do any of the following:

19 (b) Use any controlled substance as defined in Division 10 (commencing
20 with Section 11000) of the Health and Safety Code, or any dangerous drug or
21 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent
22 or in a manner dangerous or injurious to himself or herself, any other person, or
23 the public or to the extent that such use impairs his or her ability to conduct with
24 safety to the public the practice authorized by his or her license.

25 (c) Be convicted of a criminal offense involving the prescription,
26 consumption, or self-administration of any of the substances described in
27 subdivisions (a) and (b) of this section, or the possession of, or falsification of a
28 record pertaining to, the substances described in subdivision (a) of this section, in
which event the record of the conviction is conclusive evidence thereof.

COST RECOVERY

25 7. Code section 125.3 provides, in pertinent part, that the Board may request
26 the administrative law judge to direct a licensee found to have committed a violation or
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
28 and enforcement of the case.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Criminal Convictions)**

3 8. Respondent is subject to disciplinary action under Code section 2761,
4 subdivision (f), in that Respondent has been convicted of the following crimes that are
5 substantially related to the qualifications, functions or duties of a licensed registered nurse:

6 a. On September 5, 2002, in the Superior Court, County of Ventura,
7 California, in the matter entitled *People of the State of California vs. William Francis Pringle, Jr.*
8 (Sup. Ct. 2002, Case No. 2002021167 M A), Respondent was convicted on his plea of guilty of
9 violating Vehicle Code section 23152, subdivision (b) (driving while having a 0.08% or higher
10 blood alcohol), a misdemeanor. The circumstances of the crime are that on June 22, 2002, a
11 Simi Valley police officer observed Respondent driving a vehicle without his seat belt on. The
12 officer initiated a traffic stop and found Respondent to have slurred speech and to be unsteady on
13 his feet. Respondent was subsequently arrested and charged with driving a vehicle while under
14 the influence of alcohol.

15 b. On July 1, 2005, in the Superior Court, County of Santa Clara, San Jose
16 Facility, California, in the matter entitled *People of the State of California vs. William Francis*
17 *Pringle* (Sup. Ct. 2005, Case No. CC580256), Respondent was convicted on his plea of guilty of
18 violating Penal Code section 211-212.5, subdivision (c) (took personal property, money, in the
19 possession of Maria Barreras, from her person and immediate presence and against her will by
20 means of force and fear), a felony. The circumstances of the crime are that on January 29, 2005,
21 Respondent walked into a Wells Fargo Bank in Los Gatos and demanded money from M.B., a
22 bank teller. Respondent left the bank with the money, which included three bait bills.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Conviction of a Crime Involving Alcoholic Beverages)**

25 9. Respondent is subject to discipline under Code section 2761, subdivision
26 (a), on the grounds of unprofessional conduct as defined in Code section 2762, subdivision (c), in
27 that on or about September 5, 2002, Respondent was convicted of crimes involving alcoholic
28 beverages, as more particularly set forth in paragraph 8, subparagraph a, above.

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